Ministry of Agriculture, Fisheries and Food

# Food Advisory Committee Annual Report 1996

22501870320

WELLCOME
LIBRARY
Ann Rep
WA28
.BA1
F68
1996

WELLCOME TRUST INFORMATION SERVICE
09 JUN 1999
ACC. No.
CLASS:

# Ministry of Agriculture, Fisheries and Food

---

# Food Advisory Committee
# Annual Report
# 1996

---

# CONTENTS

FOREWORD *Paragraph*

INTRODUCTION

Terms of reference, membership and scope 1-5

THE COMMITTEE'S WORK IN 1996

I LABELLING AND INFORMATION

Review of the FAC Guidelines for the Labelling of Foods Produced Using Genetic Modification 6

Voluntary Information on Foods Produced Using Genetic Modification Technology 7

Genetically Modified Products 8

- a) Labelling of Genetically Modified Tomato to be Consumed Fresh 9
- b) Labelling of Products Derived From Four Lines of Genetically Modified Maize 10
- c) Labelling of Riboflavin From Fermentation Using Genetically Modified *Bacillus subtilis* 11
- d) Labelling of Oil From Genetically Modified Bromoxynil-Tolerant Cottonseed 12
- e) Labelling of Genetically Modified Soya 13-16

Potential Allergenicity of Lupins 17

Review of Controls on Functional Foods and Health Claims 18-19
Voluntary Labelling 20-21

## II ADDITIVES AND OTHER SUBSTANCES USED IN OR OCCURRING IN FOOD

Intermediate Sucrose Polyesters - A Case of Need 22

Hydrocarbon Propellants in Water-Based Food Oil Emulsion Sprays - A Case of Need 23

Enzymes 24

Hemicellulase from *Aspergillus niger* (Grindamyl - Danisco Ingredients) 25

Vitamin B6 in Dietary Supplements 26-27

Update on Furfural Following Advice from the Scientific Committee for Food 28-29

Hyperactivity and Adverse Reactions to Food and Food Additives 30

Chloropropanols in Hydrolysed Vegetable Protein (HVP) 31-33

Phthalates in Infant Formulae 34-37

Traditional Remedies from China and the Indian Sub-continent 38

**Patulin in Apple Juice** 39

**III FOOD SURVEILLANCE**

**The Committee's Role in Food Chemical Surveillance** 40

- **a) Proposed Changes to the Procedures for the Rapid Release of Survey Data** 41
- **b) Food Surveillance: Annual Report** 42
- **c) Publication of Food Survey Results** 43

**Food Surveillance Paper on Inherent Natural Toxicants in Food** 44-45

**Labelling of Previously Frozen Meat Products** 46

**Authenticity of Single Seed Vegetable Oils** 47

**ANNEXES** *Page*

**I THE ROLE OF THE FOOD ADVISORY COMMITTEE AND ITS RELATIONSHIP WITH OTHER COMMITTEES** 23

**II LIST OF FOOD ADVISORY COMMITTEE MEMBERS** 29

**III REGISTER OF MEMBERS' INTERESTS** 32

**IV REGISTER OF INTERESTS: CODE OF CONDUCT FOR MEMBERS OF THE FOOD ADVISORY COMMITTEE** 35

**V REFERENCES** 40

**VI LIST OF ABBREVIATIONS** 42

# FOREWORD

This year has again been a busy one for the Food Advisory Committee. We have continued to advise Ministers on a wide range of issues including the labelling of genetically modified foods, various food additive issues and important food safety matters. We have also initiated two major reviews: on the controls on functional foods and health claims; and on hyperactivity and adverse reactions to food and food additives.

The Committee continues to welcome public interest in its work. Its principal reports and its advice to Ministers are always made public. Press releases reporting proceedings of its meetings help to inform the public of its workings. Since assuming the Chairmanship, however, I have become conscious that although the range and quality of the advice the Committee gives is highly regarded, the ways in which the Committee reaches its decisions remains opaque. This is a matter of importance that needs to be addressed, particularly in the current climate where consumers may be faced with conflicting information from various sources and are looking to independent experts such as members of the FAC for guidance. We have, therefore, been looking at ways in which the profile of the Committee might be raised.

This Report will again be available free of charge to ensure that it reaches the widest possible audience. In addition, in 1997, we are introducing a Newsletter which will contain news items and articles of general interest on issues being dealt with by the Committee. We will also be looking at the use of 'advertorials' to convey messages with wide appeal such as food intolerance and nutrition labelling. I hope that it will be possible to organise conferences from time to time to discuss more significant issues, and to hold public meetings to hear the views of interested parties at first hand.

I would like to thank my colleagues for their continued support and for the valuable contributions they have made during the year. I am also indebted to the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment for its assistance on all safety matters. And, finally, I wish to record my gratitude to Dr Lawrie and his colleagues in the Secretariat for their support throughout the year.

Colin M. Campbell

**PROFESSOR SIR COLIN CAMPBELL**
**Chairman**

## FAC COMMITTEE MEMBERS

### (As at 1 November 1996)

| | |
|---|---|
| Seated left to right: | Joy Hardinge, Roger Manley, Professor Sir Colin Campbell (Chairman), Professor Susan Shaw. |
| Standing left to right: | Malvern Barnett, Neville Craddock, Professor Christopher Ritson, Tom Miller, Philip Strachan, Professor Alan Malcolm, Professor Frank Woods, Dorothy Craig, Professor Catherine Geissler, Dr Catherine Humphries, Barbara Saunders (inset). |

# INTRODUCTION

## TERMS OF REFERENCE, MEMBERSHIP AND SCOPE

**1.** The Food Advisory Committee (FAC) is an independent non-statutory body appointed by Ministers and has the following terms of reference:

> 'To assess the risk to humans of chemicals which are used or occur in or on food and to advise Ministers on the exercise of powers in the Food Safety Act 1990 relating to the labelling, composition and chemical safety of food. In exercising its functions the Food Advisory Committee will take the advice and work of the Committee on Toxicity and other relevant advisory committees into account.'

**2.** The Committee's main task is to review and prepare reports on all matters within its terms of reference and where necessary to make recommendations for legislation. The Committee gives its advice to Ministers who may then decide to make that advice public. Its role and its relationship with other committees are described in more detail at Annex I.

**3.** A list of members of the Committee is at Annex II. During the year, one member, Dr Richard Pugh, left the Committee on expiry of his term of appointment and was replaced by Dr Catherine Humphries.

**4.** Members are appointed to the FAC because of the expertise they have gained through their professional involvement with the food industry or food issues generally. Committee members are required to declare any interest in matters to be discussed. The Chairman may then, at his discretion, limit the participation of a member in a discussion. The Committee and Ministers consider it important that the Committee's advice should not be subject to suspicion of bias on the grounds of undeclared commercial interests. A formal register of members' interests has therefore been established and is published at Annex III of this Report. The Code of Conduct which is sent to all members on appointment is at Annex IV.

**5.** This Report covers the business considered at the six meetings held by the Committee during 1996.

# THE COMMITTEE'S WORK IN 1996

## I LABELLING AND INFORMATION

### Review of the FAC Guidelines for the Labelling of Foods Produced Using Genetic Modification

**6.** Following the Committee's comprehensive review of this issue which it completed in 1993,(1) revised guidelines on the labelling of foods produced using genetic modification (GM) were issued in February 1994.(2) These have been used by the Committee to advise on the labelling of GM foods following their clearance on safety grounds by the Advisory Committee on Novel Foods and Processes (ACNFP). In the light of developments on a proposal for a European Union (EU) Regulation on Novel Foods and Novel Food Ingredients,(3) the Committee decided that its labelling criteria should be brought into line with the requirements set out in that proposal. Agreement on the Regulation was finally reached in December 1996 and the Committee agreed to use the final text as the basis for all its subsequent discussions on the labelling of GM foods.

### Voluntary Information on Foods Produced Using Genetic Modification Technology

**7.** The Committee reviewed its position on the labelling of GM foods and the provision of information to the public about these foods generally, and decided that there was no need to revise any of its earlier decisions regarding the compulsory labelling of individual products. It went on to confirm its existing view that all manufacturers of foods produced using GM technology should continue to be encouraged to provide information about their products voluntarily in response to consumer interest. The Committee recognised that in some instances it may be impracticable to do this through appropriate labelling but, where this was the case, it would encourage manufacturers and retailers to provide information in other ways.

## Genetically Modified Products

**8.** As in previous years, the Committee was asked to advise on the labelling of a number of foods developed with the aid of GM technology. Each application was examined on the basis of the requirements contained in the proposed Regulation. These were as follows:

### a) Labelling of Genetically Modified Tomato to be Consumed Fresh

**9.** In 1995, the Committee considered a submission on a tomato that had been genetically modified principally to include the FLAVR SAVR™ gene which delayed softening of the fruit. The Committee noted that the nutritional composition of the tomato did not differ from conventionally-bred varieties and that all the inserted genes present were of tomato or microbial origin. In accordance with the requirements contained in the EU Regulation, the Committee advised that this product should be labelled to indicate that it was a GM product. The Committee's advice and that of the ACNFP have been accepted by Ministers.

### b) Labelling of Products Derived from Four Lines of Genetically Modified Maize

**10.** The Committee considered the question of special labelling for processed products derived from four lines of maize which had been genetically modified to provide resistance to certain insects or herbicides. The Committee noted that the ACNFP had recommended that two of the lines should be cleared on safety grounds. It also noted that the other two lines were still undergoing evaluation but that, if they also received safety clearance by the ACNFP, the labelling question would be the same. All the genes inserted into the GM maize lines were of microbial origin and the fully processed products did not contain any functional genetic material. The ACNFP had been satisfied that the composition of the processed products derived from two of the GM maize lines did not differ from those produced from conventionally-bred varieties, but had requested confirmatory data on the other two lines. Given this information the Committee agreed that there was no need for any special labelling as a condition of approval. The Committee's advice and that of the ACNFP will be submitted to Ministers in due course.

### c) Labelling of Riboflavin from Fermentation using Genetically Modified *Bacillus subtilis*

**11.** The Committee considered the question of special labelling for riboflavin (vitamin B2) which is obtained from fermentation using the GM bacterium, *Bacillus subtilis*, in order to provide a higher quality and cheaper product. The Committee noted that the ACNFP had recommended that the riboflavin should be cleared on safety grounds. All the genes inserted into the GM *Bacillus subtilis* were of microbial origin and the fully processed riboflavin did not contain any functional genetic material. The Committee also noted that composition of the riboflavin obtained from fermentation did not differ from chemically synthesised riboflavin. Given this information, the Committee agreed that there was no need for any special labelling as a condition of approval. The Committee's advice and that of the ACNFP have been accepted by Ministers.

### d) Labelling of Oil from Genetically Modified Bromoxynil-Tolerant Cottonseed

**12.** The Committee's advice was sought on the question of special labelling for oil obtained from the seed of five lines of cotton plant (*Gossypium hirsutum* L.) genetically modified for tolerance to the herbicide bromoxynil. The Committee noted that the ACNFP had recommended that the oil should be cleared on safety grounds. The Committee used the criteria set out in the EU Regulation as a basis for determining whether special labelling may be required. It noted that all the genes inserted into the cotton plant were of microbial origin and the refined oil contained neither the products of the inserted genes nor any functional genetic material and that the composition of the refined oil obtained from the GM cottonseed did not differ from conventional cottonseed oil. Given this information, the Committee agreed that there was no need for any special labelling as a condition of approval. The Committee's advice and that of the ACNFP will be submitted to Ministers.

### e) Labelling of Genetically Modified Soya Beans

**13.** In 1995, the Committee was asked by the ACNFP for its advice on whether soya beans that had been genetically modified for herbicide intolerance should require special labelling. Taking into account information showing its equivalence to conventionally produced soya, the Committee did not consider this to be necessary and its advice, together with that of the ACNFP, was accepted by Ministers.

**14.** Following a meeting with consumer organisations in November 1996, the Agriculture Minister asked the Committee to consider a position paper on the labelling of GM soya which had been prepared jointly by the Consumers' Association and the Scottish Consumers' Council. This paper expressed concerns, shared by many consumer groups, about the absence of any requirement for food containing this soya to be labelled to indicate the use of GM ingredients and the difficulties faced by consumers wishing to make an informed choice when buying food products. The Committee discussed the consumer organisations' paper, along with information provided by various companies and associations in response to enquiries made at the request of the Minister.

**15.** The Committee considered that concerns over the labelling of ingredients derived from GM soya were focused on consumer choice rather than safety, the latter having already been fully assessed by the ACNFP. This point was acknowledged in the consumer organisations' paper. After careful consideration, the Committee confirmed its established position, that compulsory labelling of GM food products should be a condition of approval only in certain specific cases. The Committee also reiterated the conclusion from a previous meeting that the provision of voluntary information, including labelling where this was practicable, should be used to supplement any labelling recommendations made by the Committee. In consideration of these general principles, the Committee reaffirmed its original advice that compulsory labelling of GM soya products should not be a condition of their approval. In its view, this decision would also apply if the assessment had been made under the terms of the EU Regulation on Novel Foods and Novel Food Ingredients.

**16.** In this as in all areas, the Committee fully accepted the importance of accurate information for consumers. It noted and supported industry efforts in pursuing segregation of GM crops, while recognising the complexities of achieving segregation throughout the food chain. Such segregation would allow manufacturers who wished to label foods as containing GM or non-GM ingredients to do so. In the meantime, the Committee felt that labelling along the lines of ‘may contain GM soya derivatives’ was not likely to be very informative to consumers. The Committee’s advice was accepted by Ministers.

### Potential Allergenicity of Lupins

**17.** Seed from the white flowered lupin (*Lupinus albus*) has been used as human food and animal feed for many years. Recently, a related species, the narrow leaved lupin (*L. angustifolius*) has also been grown for these purposes. *L. angustifolius* was evaluated for food safety by the ACNFP and the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) and recommended for clearance. As lupin-based products, like those from other legumes, are known to be capable of causing a low incidence of allergic reactions, the Committee was asked to consider how this information could best be made available to the general public. The Committee noted that the ACNFP had recommended clearance of the seeds of *L. angustifolius* as a novel food on safety grounds. It also noted that the COT had concluded that allergenic responses to lupin-based products were more likely to present a problem in the occupational context than when consumed and, from the available reports, the incidence of reactions was likely to be less severe than for soya products which are already widely consumed. The Committee agreed that there was no need for any additional labelling of foods containing lupin-based ingredients beyond that required by existing legislation on ingredient listing. It recommended, however, that measures should be taken to assess consumer uptake of these products and that mechanisms be established in order to inform allergy clinics, support groups, occupational health workers and the medical profession of the introduction of lupin-based foods in the UK. The Committee's advice, together with that from the COT and ACNFP, have been accepted by Ministers.

## Review of Controls on Functional Foods and Health Claims

**18.** Early in 1996, the Committee was advised of the outcome of discussions that Government Departments had had with interested parties on functional foods. Given the developments in recent years in relation both to functional foods and food claims generally, the Committee considered that it should re-examine the existing controls on health claims in relation to all foods, a subject which was last looked at by the FAC as part of its 1990 Review of Food Labelling and Advertising.(4) The Committee agreed that the review should consider the need for guidance on what should or should not be stated in such claims and look into the possibility of a mechanism for assessing claims. It also felt that the review would need to take into account the views of all interested bodies, including the Committee on Medical Aspects of Food and Nutrition Policy (COMA), and that it would need to ensure that any conclusions were compatible with EU rules. The Committee also agreed that interested parties should be consulted on the basis of a paper outlining the background to the review.(5)

**19.** Following this initial consultation, which took place in Spring 1996, the Committee considered the comments and information received and sought the views of COMA. On the basis of this, the Committee reached the following preliminary conclusions:

- with the exception of the yoghurt sector, the market for functional foods in the UK is at present very small;

- many of the health claims made are non-specific - some are linked to official recommendations and others are based on data exclusively held by those making the claims while some contain reference to disease and might be misleading the consumer;

- evidence of how consumers react to such claims is needed;

- the approaches of other countries to regulation in this area are varied but it is noteworthy that most EU member states rely on similar legislative controls to those in the UK, supplemented in a few cases with guidelines;

- further views on whether the UK should also introduce guidelines, either voluntary or statutory, should be obtained;

- the need for advice to be available to companies and enforcement officers on health claims should be met primarily through the establishment of suitable bodies e.g. by trade associations and the Local Authorities Co-ordinating Body on Food and Trading Standards;

- there appeared to be no convincing evidence of a need for pre-market approval of functional foods beyond the controls which already exist in respect of novel foods and additives. These will shortly be made statutory with the implementation of the EU Regulation on Novel Foods and Novel Food Ingredients.(3)

In the light of its considerations, the Committee issued draft guidelines on health claims for comment in December.(6) The Committee will return to this issue in 1997 once the results of the consultation have been assessed.

## Voluntary Labelling

**20.** The Committee last looked at the issue of voluntary labelling as part of a wide ranging review of food labelling which was carried out in 1989/90. Its conclusions were reported in its 1990 Review of Food Labelling and Advertising.(4) During that review the Committee considered whether there was a need to introduce additional controls beyond those already in place. Current labelling legislation already covers the provision of essential information on food labels and requires that any additional information that is given voluntarily must conform to the general principles that it should be neither false nor misleading. Such voluntary information might include information about health, nutrition and fitness, animal and worker welfare, food production methods or effects on the environment. Some of these areas are subject to official guidelines while others are covered by voluntary codes or criteria set by independent organisations which sometimes use related statutory requirements as a basis for setting more stringent standards.

**21.** In considering the information presented, the Committee concluded that there was little evidence to suggest that the current statutory controls and arrangements for self regulation were not working satisfactorily and noted that there had been very little pressure from consumers and other interested parties to control the provision of voluntary information by the introduction of more detailed rules. In the circumstances, the Committee considered that it would be better to encourage self-regulation by industry and effective enforcement of the statutory provisions.

## II ADDITIVES AND OTHER SUBSTANCES USED IN OR OCCURRING IN FOOD

### Intermediate Sucrose Polyesters - A Case of Need

**22.** The Committee considered a case of need for the use of intermediate sucrose polyesters (ISP) as emulsifiers in low-fat margarine-type spreads and to inhibit 'bloom' in chocolate. In the Committee's opinion, insufficient technical evidence and support from the food industry had been provided to establish a case of need for the use of ISP in chocolate. However, it agreed that a case of need had been established for the use of this substance at levels of up to 1% in low-fat margarine-type spread and asked for it to be referred to the COT and COMA so that safety and nutritional assessments could be undertaken. The Committee will return to this issue once the advice from the COT and COMA is available. If ISP is given a satisfactory safety assessment, Ministers could be asked to consider allowing its use under the two-year temporary national authorisation provided for in the EC Food Additives Framework Directive (89/107/EC)(7) pending its consideration for EU authorisation under Directive 95/2/EC.(8)

### Hydrocarbon Propellants in Water-Based Food Oil Emulsion Sprays - A Case of Need

**23.** The Committee was asked to consider a case of need for extending the use of three hydrocarbon propellants (propane, butane and iso-butane) to include water-based cooking oil sprays for both domestic and professional use. At present, the provisions of the Miscellaneous Food Additives Regulations 1995(9) restrict the use of these propellants to vegetable oil-based pan sprays for professional use and to garlic flavoured oil sprays used in the production of garlic bread and pizza. The Committee noted that the proposed use of the water-based products was similar to the first of these. After due consideration, the Committee agreed that a case of need for these additional uses had been established. As the propellants had already been given a satisfactory safety assessment by the COT, it was agreed that there was no need to refer the matter to that Committee. However, the Committee has asked the Department of Trade and Industry's Consumer Safety Unit and the Health and Safety Executive to undertake a hazard evaluation of their potential flammability in use and will return to this matter once this advice has been received.

## Enzymes

**24.** Following the FAC's acceptance of a case of need for hemicellulase in breadmaking, a number of submissions on individual hemicellulase enzyme preparations were considered by the relevant expert Committees. In 1995, the Committee endorsed the recommendations of the COT that four hemicellulase preparations from a) *Aspergillus niger* (Superzyme Alpha - Denmark Enzymes), b) *Trichoderma longibrachiatum* (Xylanase - Quest International), c) GM *Aspergillus niger* (Xylanase II - Quest International) and d) GM *Bacillus subtilis* (RH6000 - Röhm GmBH) should be given temporary clearance pending the submission of further data to the COT. These data were subsequently examined by the COT and found to be satisfactory. As a result, all four preparations have now been given full approval and the companies concerned notified.

## Hemicellulase from *Aspergillus niger* (Grindamyl - Danisco Ingredients)

**25.** During 1996, the Committee was asked to consider a hemicellulase preparation from Danisco Ingredients. The Committee noted that the COT had recommended temporary clearance on safety grounds for this preparation, subject to the company answering certain points raised by that Committee. The FAC considered that sufficient information had been provided by the company to demonstrate that a suitable quality control system was in place to ensure the consistent manufacture of the product and that the proposed specification was suitable for this enzyme preparation. The Committee, therefore, recommended temporary clearance of this enzyme preparation pending the provision of the information requested by the COT.

This was subsequently reviewed and full approval recommended. The company has been notified.

### Vitamin B6 in Dietary Supplements

**26.** The potential toxicity of dietary supplements was recognised in the Report of the Working Group on Dietary Supplements and Health Foods published in 1991,(10) and the 31st Report of the European Commission's Scientific Committee for Food (SCF) published in 1993.(11) More recently, consumer groups have drawn attention to potential problems with high-dose dietary supplements and have called for regulations setting upper limits for certain nutrients in these products. Vitamin B6 was highlighted as a particular concern. Vitamin B6 occurs naturally in six different forms (pyridoxine, pyridoxal, pyridoxamine and their phosphates) and is found in a wide variety of foods, such as cereal products, potatoes, milk and milk products, meat and meat products, and beers. Intestinal flora also synthesise relatively large amounts of vitamin B6, some of which may be absorbed. Cases of vitamin B6 deficiency are therefore rare.

**27.** The Committee looked at the need for a limit on the vitamin B6 content of dietary supplements because of concern about adverse reactions associated with high intakes over a prolonged period. It considered background information on vitamin B6, along with advice from the COT that the daily intake should not exceed 10 mg per day. This advice was based on findings that prolonged intakes of high levels of this vitamin could cause nerve damage. Most people obtain all of the vitamin B6 they need from foods such as meat and fish, eggs, whole cereals, and some vegetables. The intake from such sources is generally well below the level which might give cause for concern. However, some individuals also consume dietary supplements containing vitamin B6. The Committee noted that most supplements currently on the market would provide no more than 10 mg of vitamin B6 per day but that some high-dose products could result in intakes of 100 mg or more. The Committee endorsed the COT's advice and recommended that officials explore with interested parties the possibility of a voluntary limit on the levels of vitamin B6 that may be obtained from dietary supplements and the inclusion of additional information on product labels. It also asked for further information about the market for the high-dose supplements and will return to this issue early in 1997.

### Update on Furfural Following Advice from the Scientific Committee for Food

**28.** Furfural is a chemically defined flavouring substance which is used as a constituent of flavouring blends in a wide range of foods including savoury products, bakery goods, confectionery, dairy products and alcoholic and non-alcoholic beverages. It also occurs naturally as a minor constituent of several essential oils used in flavourings, such as cinnamon, petitgrain, ylang-ylang, lemongrass and sandalwood. In addition to its presence in foods and beverages through the use of flavourings, it can also occur in foods naturally or be formed during processing and cooking as a result of the thermal decomposition of carbohydrates. As a consequence, it is found in numerous processed and beverage products including coffee, tea, beer, wine, spirits, bread, milk products, meat, fruits (e.g. strawberries and plums) and vegetables such as asparagus and potato products.

**29.** The Committee considered a paper which summarised current knowledge about the usage and occurrence of furfural following the advice from the SCF that this substance should no longer be used as a flavouring due to evidence of toxicity. The Committee noted that some flavouring manufacturers had already taken steps to reduce the use of furfural in their flavourings and considered that the industry as a whole should be encouraged to find alternatives to the use of this substance. The Committee also recommended that the Ministry of Agriculture, Fisheries and Food should press the European Commission to act on the SCF's advice by prohibiting the use of furfural in advance of the adoption of a positive list of flavourings, which is required as part of the recently adopted EU Regulation on Flavouring Substances(12) but which is not expected to take full effect until the year 2004. This advice has been accepted by Ministers.

## Hyperactivity and Adverse Reactions to Food and Food Additives

**30.** Following a meeting held between the Parliamentary Secretary, Mrs Angela Browning, and representatives from the Hyperactive Children's Support Group (HACSG) towards the end of 1995, the Committee was asked to consider the issue of hyperactivity and its possible link to food and food additives. The Committee decided to take the opportunity to review the evidence for intolerance to food and food additives generally. The potential for these to cause behavioural effects would also be included as part of that review. Since it had been some years since the COT last considered this issue, the Committee agreed that it should be asked to review all the available medical and scientific data. Given the complexity of this issue, the FAC decided exceptionally that some of its members, including the Chairman, should meet with representatives of HACSG before the review got under way in order to hear their arguments for a link between behavioural problems in children and the ingestion of certain food additives. The Committee expects to return to this issue in 1997 once the advice of the COT has been received.

## Chloropropanols in Hydrolysed Vegetable Protein (HVP)

**31.** The issue of chloropropanols in hydrolysed vegetable protein (HVP) was last considered by the Committee in 1993 when the results of a MAFF-funded analytical survey of HVP products were presented. These results were published in the Food Safety Information Bulletin at the time.(13) HVP is a long-standing food ingredient which is used in small amounts to flavour a variety of savoury foods including many processed or pre-packed foods. In the course of the manufacture of one particular type of HVP which is made using hydrochloric acid (known as 'acid-HVP'), very small amounts of substances called chloropropanols may be produced under certain circumstances. The most common of these is 3-monochloropropane-1,2-diol (3-MCPD).

**32.** The Committee considered this issue on two occasions in 1996. In May, the Committee considered advice from the SCF that 3-MCPD should be regarded as a genotoxic carcinogen and should be reduced to undetectable levels. The FAC accepted this advice and recommended, as a precautionary measure, that industry should be consulted about switching to alternative manufacturing methods within an envisaged timescale of two years. In the meantime, the Committee recommended that levels of this contaminant should be reduced to the minimum detectable by the most sensitive and reliable analytical method available. Following acceptance of this advice by Ministers, meetings were held with consumer organisations, manufacturers and retailers to discuss its implementation.

**33.** The Committee returned to this issue in October. In the light of information which showed that modifications could be made to the manufacturing process for acid-HVP which would effectively eliminate 3-MCPD, the Committee decided to modify its earlier advice. The Committee recommended that, within 18 months, industry should take all steps necessary to ensure that this contaminant could not be found in any foods or ingredients, regardless of the method of manufacture, when using a validated method of analysis capable of detecting levels down to 0.01 mg/kg, the lowest limit of detection currently available.

### Phthalates in Infant Formulae

**34.** Phthalates are a group of organic chemicals which have many technical uses, and are found in products ranging from floor tiles to cosmetics. As a result of these diverse uses, phthalates are widely distributed in the environment and are consequently found at low levels in many foods, particularly fatty foods. Uses of phthalates in food contact materials are now extremely limited and are restricted to uses such as some printing inks.

**35.** During 1995, MAFF undertook a limited survey of phthalates in 15 brands of infant formula. The results of this survey were announced in March 1996 in the Food

Safety Information Bulletin(14). The Committee welcomed advice from the COT that, on the basis of the evidence currently available, the levels of phthalates found in infant formulae in the survey were unlikely to pose any health risks to infants fed these products. In line with the COT's advice, however, the Committee agreed that it would be prudent to ensure that adequate safety margins were maintained. It also noted that the infant formulae tested in the survey were manufactured in several EU member states and not just the UK and that the European Commission took a similar view of the health risks to the COT. The Committee fully endorsed the action already taken to ask manufacturers to trace the source of phthalates present in these foods so that the levels could be reduced and agreed that this matter should be kept under review.

**36.** The Committee noted that current indications were that food packaging was unlikely to be a major source and that although it might be possible to reduce levels, phthalates were widespread contaminants and it was unlikely that they could be eliminated completely from infant formulae or from any other food, including breast milk. The Committee endorsed the need for data on phthalate levels in human breast milk in the UK which would allow an assessment to be made of the intakes of phthalates by breast-fed infants.

**37.** Work subsequently carried out by manufacturers indicated that edible oils used in the manufacture of infant formulae were likely to be the principal source of contamination but that other possible sources of contamination were also being explored. The Committee noted these data commended the infant formulae manufacturers for their positive response to the request for information on the source of phthalates, and asked for a further progress report to be made in 1997.

## Traditional Remedies from China and the Indian Sub-continent

**38.** In 1994, the Committee considered a report of a project carried out by the Medical Toxicology Unit (MTU) of Guy's and St Thomas's Hospital Trust to establish the extent and nature of any toxicological problems associated with traditional remedies and dietary supplements. The MTU data were considered by the COT which concluded that the use of some Chinese herbal medicines gave cause for concern because of the possibility of liver toxicity. Also, some remedies from the Indian Sub-continent contained high levels of heavy metals such as lead. The Committee, in accepting the COT's advice, made a number of recommendations that were taken forward in discussions between MAFF, the Department of Health (DH) and the Medicines Control Agency (MCA). The recommendations were also considered by the MCA's Herbal Policy Group, as part of its review of the regulation of unlicensed remedies, and incorporated in the MCA's traditional remedies policy. The MCA is responsible for any further action relating to traditional remedies from China and the Indian Sub-continent as the problems identified are considered to be mainly medicinal. The monitoring system for adverse reactions to licensed medicines is being extended to include unlicensed medicines. Problems associated with food supplements will remain the responsibility of MAFF and DH.

## Patulin in Apple Juice

**39.** The Committee has considered the problems associated with the occurrence of the mycotoxin patulin in apple juice each year since 1992, when the results of surveys indicated that levels present in more than 25% of juices tested were above the advisory level of 50 µg/kg set by the FAC following safety advice from the COT. The results of subsequent annual surveys have shown that measures taken by industry to control the level of patulin have been effective. The 1996 survey showed that 98% of the juices analysed did not contain patulin above 50 µg/kg. In the light of these results, the Committee considered that the situation was now under control. Although surveys are not planned for 1997, the Committee agreed that periodic sampling should be undertaken to check that the situation continues to be satisfactory.

## III FOOD SURVEILLANCE

### The Committee's Role in Food Chemical Surveillance

**40.** The responsibility for maintaining an overview of the food chemical surveillance programme was transferred from the Steering Group on Chemical Aspects of Food Surveillance (SGCAFS) to the FAC at the end of 1995. In addition to its consideration of a number of specific issues regarding food safety and food quality arising from the surveillance programme which are covered elsewhere in this Report, the Committee's programme of work over the year included consideration of the following issues:

### a) Proposed Changes to the Procedures for the Release of Survey Data

**41.** The Committee discussed MAFF's proposed changes to the current system of releasing food survey results. According to these proposals, survey results which do not have to be acted upon immediately, but which are unexpected or indicate a need for further action will only be released once the FAC and other advisory committees have given their views. In all cases, the results will be circulated to the committee(s) for information prior to release, giving members the opportunity to comment if they so wish. Members endorsed the Committee's proposed role and agreed to adopt procedures for keeping the delay in publishing survey results to a minimum.

### b) Food Chemical Surveillance: Annual Report

**42.** The Committee was provided with a paper which gave an overview of MAFF's food chemical surveillance programme during 1996. This included a compilation of progress reports from each of the 11 surveillance working parties that had previously reported to the SGCAFS and an overview of the major achievements and issues raised by the food chemical surveillance programme during the year. The Committee noted the progress made by each of the working parties and commented on the text of a draft report which will be published early in 1997.

### c) Publication of Food Survey Results

**43.** The Committee considered the current procedures used for publishing the results of MAFF-funded surveys on the chemical safety, authenticity and nutritional value of the UK food supply and decided that the profile of the surveillance programme should be raised through a broader range of publications and, wherever possible, through publication in peer reviewed scientific journals. Details of the surveys are also currently reported in the MAFF/DH Food Safety Information Bulletin and Food Surveillance Information Sheets. In addition, the Committee recommended a number of approaches to making surveillance information more accessible to the public. It agreed to return to this issue once Ministers have been able to consider the results of MAFF's consultation on proposed changes to the presentation of food survey results.

### Food Surveillance Paper on Inherent Natural Toxicants in Food

**44.** The Committee was asked to comment on a draft report on inherent natural toxicants prepared by the Working Party on Naturally Occurring Toxicants in Food. The draft report summarised the results of research and surveillance on glycoalkaloids, furocoumarins, phytoestrogens, hydrazine derivatives and bracken fern mutagens carried out by MAFF between 1980 and 1995 and described current and future work in this area. The Committee welcomed the report and the advice from the COT that estimated intakes by consumers of furocoumarins, hydrazine derivatives and bracken fern mutagens were such that they did not raise any health concerns. Intakes of glycoalkaloids were also considered by the COT to give no cause for concern provided that current Government advice that damaged, sprouting or green parts of potatoes should not be eaten is followed.

**45.** The Committee also considered advice from the COT on phytoestrogens, which are naturally occurring substances found in soya beans and a range of other foods. The Committee noted there was some evidence to suggest that phytoestrogens might have some beneficial effects in adults. Although there was potential for these naturally occurring compounds to affect infants adversely, the Committee endorsed the COT's recommendation that further scientific research was needed to establish whether the presence of phytoestrogens in soya-based infant formulae posed any risks to infants. The Committee also noted the COT's advice that, on the basis of the current information, parents who had been advised by their doctor or by other health professionals to feed their baby with soya-based infant formulae should continue to do so. Members were, however, pleased to see that industry had initiated work to define better the levels of phytoestrogens in their products and to investigate the possibility of reducing these through better control of their source materials and the application of different processing conditions. Finally, the Committee decided that it would consider, at a later date, whether any action was necessary in relation to soya-based foods eaten by infants after weaning or by older children, in the light of the results of further research now underway. MAFF and DH press releases on phytoestrogens were issued simultaneously and briefing meetings were held with health professionals and consumer organisations. The Committees' views were included in the Food Surveillance Paper which was published in December.(15)

### Labelling of Previously Frozen Meat Products

**46.** The Committee was asked to consider a draft report prepared by the Working Party on Food Authenticity (WPFA) describing the results of a survey which investigated whether meat and poultry sold from supermarkets, butcher shops, market stalls and farm shops had been correctly labelled when it had been previously frozen and thawed. The survey found that there were no problems with the majority of samples, but 8% failed to indicate that they had previously been frozen. The highest proportion of mislabelling occurring in the case of turkey and lamb. The Committee considered the misdescription of these products to be unacceptable and was pleased to note that the appropriate food law enforcement authorities had been informed, with the result that one offender had been successfully prosecuted and several others cases were being considered. The Working Party's Report is available from the MAFF Library.(16)

## Authenticity of Single Seed Vegetable Oils

**47.** The Committee was asked to consider a draft report prepared by the WPFA providing details of a survey which investigated the authenticity of four types of vegetable oil (maize, sunflower, groundnut and palm) sold through retail outlets and supplied to catering outlets in the UK. The Committee noted that the majority of the samples (some 81%) were found either to be pure or to contain less than 3% of other oils, a limit which allows for a degree of unavoidable mixing of oils during commercial processing. Approximately 11% of the samples contained between 3-5% of other oils, which the Committee considered should not occur if good manufacturing practice was being followed. The remaining samples (approximately 7% of the total) contained in excess of 5% of other oils and were considered to be adulterated. The Committee viewed the results of this last group, in particular, to be unacceptable and was pleased to note that the appropriate food law enforcement authorities had been informed so that follow-up action could be taken. The Working Party's Report is available from the MAFF Library.(17)

# ANNEX I

## THE ROLE OF THE FOOD ADVISORY COMMITTEE AND ITS RELATIONSHIP WITH OTHER COMMITTEES

## THE ROLE OF THE COMMITTEE

### Assessment of food additives

**1.** With the adoption of specific European Parliament and Council Directives on food additives and their implementation in the UK in 1996, the procedure for the assessment of additives has altered. Final approval of the use of a new additive is now subject to agreement at Community level, although there is a provision in the Food Additives Framework Directive (89/107/EEC),(7) to enable a member state to authorise the use of a new additive within its own territory on a temporary basis. If a manufacturer requests that a new additive be permitted for use or that a new use be allowed for an additive already permitted, the manufacturer is encouraged to submit an application for its approval to the European Commission for it to be assessed by the SCF. At the same time, an application may be submitted to the FAC to consider whether there is a genuine need for that additive or use. With the benefit of safety advice from the COT, the FAC formulates advice to Ministers who then decide whether to grant temporary national authorisation. At the end of a two-year period the additive may only continue to be permitted if the European Commission comes forward with a proposal to amend the appropriate Directive and this is agreed by the Council of Ministers and the European Parliament.

### Risk assessment

**2.** Risk assessment is a means of estimating potential harm. Any additive or other substance intentionally added to food is subject to risk assessment prior to approval and those already approved are reconsidered when new data is obtained or if there are changes in intake levels (see paragraphs 3 and 5). Chemical contaminants are unintentional additions arising through a variety of routes (e.g. natural toxicants such as mycotoxins; soil and air contaminants such as metals; contaminants from intentional additives or by-products formed from intentional additives) and may therefore be more difficult to quantify than substances added intentionally. The Committee draws advice on toxic risks to humans primarily from the COT, but also considers advice from other advisory committees and receives information on intakes from officials within MAFF in order to assess risk.

**3.** For substances other than genotoxic carcinogens, the COT usually provides its advice in the form of an acceptable daily intake (ADI) (paragraph 4). If intakes of a particular substance in the human diet are likely to increase because of new uses or changing dietary patterns so that there is a possibility of acceptable intakes being exceeded, the Committee will then advise on the management of that risk. It might, for example, recommend maximum levels of use for a substance or that its use should be restricted or prohibited. Chemical contaminants found in food may be judged by the same criteria as additives, though the measurement of absolute levels may present a greater practical challenge. Intake factors for certain contaminants may be subject to greater variation due to external factors. For example, natural toxicant levels may depend on ambient conditions both of growth and storage. Thus the complementary exercises of risk assessment and risk management become more complex. A regular system of monitoring is therefore essential. When new data concerning a currently approved additive or known contaminant are presented to the Committee, it may modify its previous advice on risk management.

**4.** In recent years, the Committee's role in the risk assessment and risk management procedure has grown, largely as a consequence of the change in format of the safety advice offered by the COT. In the past, the COT offered its advice in the form of categories A to E, which defined the degree of suitability of a food additive for use in food. The COT, in line with most expert advisory committees on food safety, now issues its advice in a numerical form as an ADI. (When the estimated consumption of an additive is expected to be well below any numerical value that would ordinarily be assigned to it, an ADI 'not specified' may be allocated.) The ADI has most recently been defined by the World Health Organisation (WHO) as 'an estimate of the amount of a food additive, expressed on a bodyweight basis, that can be ingested daily over a lifetime without appreciable health risk'. This change has meant that the FAC has become responsible for the final stage of the safety evaluation, as advice in the form of an ADI needs to be considered in the context of current and likely future intakes of the additive concerned. This is necessary in order to determine whether advice on risk management is required to maintain intakes by UK consumers within acceptable limits. In the case of contaminants, the COT's advice is in the form of a Tolerable Daily Intake (TDI) or Tolerable Weekly Intake (TWI). For contaminants which are genotoxic carcinogens, the COT has advised that it is not possible to set tolerable intake levels. In this case, the COT advises that the levels of the contaminant in the food should be as low as is technically achievable. The FAC advises on what the level should be, balancing the need to keep levels as low as possible without unreasonably restricting the supply of food.

## Risk management

**5.** Where a potential risk to consumers is identified, the FAC balances this risk against evidence of possible benefit to consumers from the use of the substance or consumption of the food which may contain a contaminant. This allows the FAC to recommend strategies for the effective management of food chemical risks. In order to maintain intakes within acceptable levels, current and future uses of additives may need to be restricted. Similarly, the presence of chemical contaminants in a food may require either physical or chemical removal of the contaminant or the introduction of controls. In other cases, it may be more appropriate to issue advice to specific groups of the population who might be at potential risk of exceeding acceptable intakes.

### Labelling

**6.** Food labelling is controlled by the Food Safety Act 1990 and the Food Labelling Regulations 1996 which implement the EC Food Labelling Directive 79/112/EC. This Directive largely harmonises food labelling legislation throughout the EU and there is now very little scope for unilateral national measures except for foods which are sold loose or in catering establishments. The Committee advises Ministers on labelling issues within this context, on new EU proposals and on the need for special labelling for certain categories and individual products where this is permitted by the Directive. The FAC's 1990 Review of Food Labelling and Advertising(4) set out the Committee's broad philosophy in this area and stressed the importance of clear, accurate and informative labelling, with which Ministers agreed.

### The European aspect

**7.** A further and increasingly important aspect of the Committee's role relates to the harmonisation of legislation on matters of food safety, labelling and consumer protection throughout the EU. The FAC is one element of a wide process of consultation and advice to Ministers which helps form the basis for a negotiating position in Brussels on those matters. A number of detailed measures still remain to be agreed following the establishment of the Single European Market and it is important that the UK plays a significant role in the formulation of EU legislation.

## THE FOOD ADVISORY COMMITTEE'S RELATIONSHIP WITH OTHER GOVERNMENT ADVISORY COMMITTEES

**8.** The FAC was formed in November 1983, following the amalgamation of the Food Additives and Contaminants Committee and the Food Standards Committee. It forms part of a network of committees that advises Government on many different aspects of food. The maintenance of close links between these committees is vital to the Government's role in ensuring the continued safety of our food supply. The following paragraphs explain the FAC's relationship with some of these other committees.

## Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT)

**9.** The FAC works very closely with the COT (see paragraphs 2-4 of this Annex), which is based in the DH. Members are appointed by the Government's Chief Medical Officer (CMO). Part of the COT's remit is to assess and advise on the toxic risk to humans of a wide range of substances affecting everyday life. This may include evaluation of data on substances used or proposed to be used as food additives, or substances which might contaminate food through their use or natural occurrence at any stage in the food production process, and to advise the FAC on their safety. The FAC takes full account of this advice in formulating its subsequent recommendations to Ministers. The FAC, in its role of risk assessment and risk management, therefore has to consider safety advice in the context of actual and likely future intakes of the substance by UK consumers, in order to advise Ministers of any restrictions on food use which might be required. Professor Frank Woods, Chairman of the COT and a member of the ACNFP, is also a member of the FAC.

## Advisory Committee on Novel Foods and Processes (ACNFP)

**10.** The ACNFP is appointed to advise Health and Agriculture Ministers on matters relating to the manufacture of novel foods or foods produced by novel processes. The FAC, COT and the ACNFP work closely together at all times, such co-operation being illustrated by the way in which they continue to liaise over their considerations of different aspects of the application of GM technology to food production.

## Committee on Medical Aspects of Food and Nutrition Policy (COMA)

**11.** COMA is a committee of experts chaired by the CMO. It provides the Government with independent advice on matters relating to nutrition, diet and health. Although COMA meets only twice a year, it operates through a system of sub-committees and expert panels set up to report to COMA on particular matters. Each sub-committee is chaired by a member of COMA. The FAC seeks the advice of COMA on specific nutritional matters.

## Advisory Committee on the Microbiological Safety of Food (ACMSF)

**12.** The ACMSF advises Health and Agriculture Ministers on the risk to humans of micro-organisms which are used or occur in or on food and on matters relating to the microbiological safety of food. Mrs Barbara Saunders, a member of the FAC, is also a member of the ACMSF.

# ANNEX II

## LIST OF FAC MEMBERS

Members of the Committee are appointed for their personal expertise and do not represent particular interests. In general, they are drawn from areas of academia, the food industry, food law enforcement and consumer affairs.

### FAC MEMBERSHIP DURING 1996

| | |
|---|---|
| Professor Sir Colin Campbell (Chairman), DL, LLB, FRSA, CIM | Vice-Chancellor, University of Nottingham |
| Roger Manley (Deputy Chairman), OBE, FITSA | County Fair Trading and Advice Officer, Cheshire County Council |
| Malvern Barnett, MChemA, CChem, FRSC, FIFST | Public Analyst and a partner in the analytical consultancy practice, Central Scientific Laboratories |
| Neville Craddock, MA (Cantab) | Group Regulatory and Environmental Affairs Manager, Nestlé UK Ltd |
| Dorothy Craig, MBE, JP, BSc | Member of the Executive Committee of the National Federation of Consumer Groups |
| Professor Catherine Geissler, BDS, MS, PhD | Professor of Nutrition, Department of Nutrition and Dietetics and Head of Division of Health Science, King's College, University of London |

| | |
|---|---|
| Joy Hardinge, BSc, FIFST | Head of Legislation (Flavours and Ingredients), Quest International |
| Catherine Humphries, PhD, CChem. FRSC, FIFST (From 1 November) | Chief Scientific Adviser, Co-operative Wholesale Society Corporate Affairs |
| Professor Alan Malcolm, MA, DPhil | Director of the Institute of Food Research |
| Tom Miller, BSc, FIFST, FRSH, FHCIMA | Director of Food Regulatory Affairs, Whitbread plc |
| Richard Pugh, BSc, PhD, CChem, FRSC, FIFST, FRSA (Until 31 October 1996) | Director of Research and Development, Whitbread plc. Formerly Technical Director, Tesco Stores Ltd |
| Professor Christopher Ritson, BA (Econ), MAgrSc | Professor of Agricultural Marketing and Dean of the Faculty of Agriculture and Biological Sciences, University of Newcastle-upon-Tyne |
| Barbara Saunders, BA | Freelance consultant on consumer policy |
| Professor Susan Shaw, MA (Cantab), FCIM | Deputy Principal and Professor of Marketing, University of Strathclyde |
| Philip Strachan, MA (Cantab), FIFST | Food industry consultant |

| | |
|---|---|
| Professor Frank Woods, BSc, BM, BCh, DPhil, FIST, Hon FFOM, FRCP, (Lond and Edin) | Head of the Department of Medicine and Pharmacology, Royal Hallamshire Hospital and Dean of the Faculty of Medicine, University of Sheffield |

## Officials of the Food Advisory Committee Secretariat

| | |
|---|---|
| Secretary: | Barbara Richards (Until 9 April 1996)<br>Sandy Lawrie, BSc PhD (From 9 April 1996) |
| MAFF Assessor: | Jon Bell, BSc, PhD, CChem, FRSC |
| Department of Health Assessor: | Frances Pollitt, MA (Cantab), Dip RCPath (Until 9 October 1996)<br>Andrew Wadge, BSc, PhD, CBiol, MIBiol (From 9 October 1996) |
| Minutes Secretary: | Jenny Scrutton (Until 1 November 1996)<br>Marian Laklia (From 9 December 1996) |

## ANNEX III

## REGISTER OF MEMBERS' INTERESTS

MEMBERS HAVE DECLARED CURRENT PERSONAL AND NON-PERSONAL INTERESTS AS FOLLOWS (AS AT 31 DECEMBER 1996):

| | PERSONAL INTERESTS (i.e. those involving payment to the member personally) | | | NON-PERSONAL INTERESTS | | |
|---|---|---|---|---|---|---|
| **MEMBER** | **NAME OF COMPANY** | **NATURE OF INTEREST** | **WHETHER CURRENT** | **NAME OF COMPANY** | **NATURE OF INTEREST** | **WHETHER CURRENT** |
| **Prof Sir Colin Campbell** (Chairman) | None | | | Wide range of national and international food companies | Vice-Chancellor of the University of Nottingham some of whose research activities in food science and technology are supported by the food industry. | Yes |
| **Mr R Manley** (Deputy Chairman) | None | | | None | | |
| **Mr M Barnett** | Albert Fisher PLC | Shareholding | Yes | None | | |
| **Mr N Craddock** | Néstle UK Ltd | Salary | Yes | None | | |
| **Mrs D Craig** | None | | | None | | |
| **Prof. C Geissler** | None | | | International food companies | Research Grants<br>Professor of Nutrition, King's College, University of London | Yes |
| **Mrs J Hardinge** | Unilever plc<br>Quest International | Shareholder<br>Salary | Yes<br>Yes | None | | |
| **Dr C Humphries** | CWS Ltd | Salary | Yes | None | | |
| **Prof. A Malcolm** | None | | | Wide range of national and international food companies | Director of the Institute of Food Research, the principal public-funded food research institute. Its departments also undertake confidential research contracts for food companies and Government or EC sponsored collaborative contract research, involving national and international food companies on topics of food composition, quality, safety, dietary effects, and new technology. Industry-funded studentship and research training fellowships are also received by the Institute. | Yes |
| **Mr T W Miller** | Whitbread plc | Salary<br>Shares and share options | Yes<br>Yes | None | | |

|  | PERSONAL INTERESTS (i.e. those involving payment to the member personally) |  |  | NON-PERSONAL INTERESTS |  |  |
|---|---|---|---|---|---|---|
| **MEMBER** | **NAME OF COMPANY** | **NATURE OF INTEREST** | **WHETHER CURRENT** | **NAME OF COMPANY** | **NATURE OF INTEREST** | **WHETHER CURRENT** |
| **Dr R F Pugh** (retired from FAC in October 1996) | Tesco PLC | Shareholder & Share Options | Yes | None |  |  |
|  | Whitbread PLC | Share Options | Yes |  |  |  |
| **Prof C Ritson** | None |  |  | Wide range of food companies | Dean of the Faculty of Agriculture and Biological Sciences of the University of Newcastle upon Tyne, which has extensive teaching and research interests in food related areas. | Yes |
| **Ms B Saunders** | J Sainsbury plc | Member of the Advisory Committee on Gene Technology | Yes | None |  |  |
| **Prof. S Shaw** | Food From Britain | Council Member | Yes | Wide range of food companies. | Deputy Principal & Professor of Marketing at University of Strathclyde which has extensive teaching and research interests in food related areas. | Yes |
|  | Biotechnology & Biological Sciences Council: | Member | Yes |  |  |  |
|  | Food Policy Directorate | Member | Yes |  |  |  |
|  | Innovative Manufacturing Initiative Steering Group |  |  |  |  |  |
|  | Asda | Minor Shareholding | Yes |  |  |  |
|  | Cadbury Schweppes | Minor Shareholding | Yes |  |  |  |
|  | Scottish Quality Food Certification Company Ltd | Unpaid Non-executive director | Yes |  |  |  |
|  | Scottish Agricultural Colleges | Non-executive director | Yes |  |  |  |
| **Mr P W Strachan** | Britvic Soft Drinks | Fee Paid Consultant | Yes |  |  |  |
|  | Reckitt & Colman | Shareholder | Yes |  |  |  |
|  | Unilever | Shareholder | Yes | Sir Philip Reckitt Education Trust | Trustee | Yes |
|  | Marks and Spencer | Minor shareholdings | Yes |  |  |  |
|  | Leatherhead Food Research Association | Fee Paid Director | Yes |  |  |  |
|  | British Soft Drinks Association Technical Committee | Unpaid Chairman | Yes |  |  |  |
|  | Food and Drink Federation Scientific and Regulatory Affairs Committee | Unpaid Deputy Chairman | Yes |  |  |  |

| | PERSONAL INTERESTS (i.e. those involving payment to the member personally) | | | NON-PERSONAL INTERESTS | | |
|---|---|---|---|---|---|---|
| MEMBER | NAME OF COMPANY | NATURE OF INTEREST | WHETHER CURRENT | NAME OF COMPANY | NATURE OF INTEREST | WHETHER CURRENT |
| **Prof H F Woods** | None | | | Wide range of national and international food and chemical companies | Dean of the Faculty of Medicine, University of Sheffield, which has extensive activity in teaching and research in nutrition and toxicology and in topics related to and supported by many companies in the food and chemical industry. | Yes |
| | | | | | Harry Bottom Charitable Trust, and Special Trustee for the former United Sheffield Hospitals. | Yes |

# ANNEX IV

## REGISTER OF INTERESTS: A CODE OF CONDUCT FOR MEMBERS OF THE FOOD ADVISORY COMMITTEE

### INTRODUCTION

1. The FAC's work covers a wide range of issues which are connected with the food industry and it is therefore desirable that its members should have a good understanding of the work of the industry. It is also desirable that some members should have practical experience of the scientific problems of product development and safety evaluation. The food industry relies heavily on the advice of a wide range of specialists including scientists outside the industry in, for example, the universities. To avoid any public concern that commercial interests might affect the advice of the Committee, Ministers have decided that the arrangements which govern relationships between members and the food industry and information on significant and relevant interests should be on public record.

### DEFINITIONS

2. In this note, 'food industry' means:

- companies, partnerships or individuals who are involved with the production, manufacture, packaging, sale, advertising, or supply of food or food processes, subject to the Food Safety Act 1990;

- trade associations representing companies involved with such products;

- companies, partnerships or individuals who are directly concerned with research, development or marketing of a food product which is being considered by the FAC.

3. In this code ‘the Secretariat’ means the Secretariat of the FAC.

## DIFFERENT TYPES OF INTEREST

4. The following is intended as a guide to the kinds of interests which should be declared. Where members are uncertain as to whether an interest should be declared they should seek guidance from the Secretariat or, where it may concern a particular product which is to be considered at a meeting, from the Chairman at that meeting. **If members have interests not specified in these notes but which they believe could be regarded as influencing their advice they should declare them**. However, neither the members nor the Secretariat are under any obligation to search out links between company and another, for example where a company with which the member is connected has an interest in a food industry company of which a member is not aware and could not reasonably be expected to be aware.

### Personal Interests

5. A personal interest involves payment to the member personally. The main examples are:-

- **Consultancies:** any consultancy, directorship, position in or work for the food industry which attracts regular or occasional payments in cash or kind;

- **Fee-Paid Work:** any work commissioned by the food industry for which the member is paid in cash or kind;

- **Shareholdings:** any shareholding or other beneficial interest in shares of the food industry. This does not include shareholdings through unit trusts or similar arrangements where the member has no influence on financial management.

## Non-Personal Interests

6. A non-personal interest involves payment which benefits a department for which a member is responsible, but is not received by the member personally. The main examples are:-

- **Fellowships:** the holding of a fellowship endowed by the food industry.

- **Support by the Food Industry:** any payment, other support or sponsorship by the food industry which does not convey any pecuniary or material benefit to a member personally but which does benefit their position or department e.g.:

  (i) a grant from a company for the running of a unit or department for which a member is responsible;

  (ii) a grant or fellowship or other payment to sponsor a post or a member of staff in the unit for which a member is responsible (this does not include financial assistance for students);

  (iii) the commissioning of research or other work by, or advice from, staff who work in a unit for which a member is responsible.

Members are under no obligation to seek out knowledge of work done for or on behalf of the food industry by departments for which they are responsible, if they would not normally expect to be informed. Where members are responsible for organisations which receive funds from a very large number of companies involved in the food industry, the Secretariat can agree with them a summary of non-personal interests rather than draw up a long list of companies.

- **Trusteeships:** any investment in the food industry held by a charity for which a member is a trustee.

Where a member is a trustee of a charity with investments in the food industry, the Secretariat can agree with the member a general declaration to cover this interest rather than draw up a detailed portfolio.

## Contractual Obligations of Confidentiality

7. Some members of the Committee may, **at the time of adoption of** this code, or in the case of new members, of their joining the Committee, be bound by the terms of a contract which requires them to keep the fact of the contractual arrangement confidential. As a transitional measure any member so affected shall seek to agree an entry for the public register with the other party. If such agreement does not prove possible, the members shall seek a waiver permitting them to disclose their interest, in confidence, to the Chairman and the Secretariat. The Secretariat will maintain a confidential register of such disclosures which will not form part of the public record.

8. Members shall not enter into new contractual obligations which would inhibit their ability to declare a relevant interest.

## Declaration of Interests to the Secretariat

9. Members of the Committee, should inform the Secretariat **in writing** of their **current personal and non-personal interests**, when they are appointed including the principal position held. Only the name of the company and the nature of the interest is required; the amount of any salary, fees, shareholding etc. need not be disclosed to the Secretariat. An interest is current if members have an on-going financial involvement with the food industry, e.g. if they hold shares in a food company, if they have a consultancy contract with the food industry, or if they are in the process of carrying out work for the food industry. Members are asked to inform the Secretariat at the time of any change of their **personal interests**, and will be invited to complete a declaration form once a year. It is sufficient if changes in non-personal interests are reported in the annual declaration form following the change. (Non-personal interests involving less than £1000 from a particular company in the previous year need not be declared to the Secretariat.)

## Declaration of Interests and Participation at Meetings

10. Members of the Committee are required to declare any direct commercial interest in matters under discussion at each meeting. Having fully explained the nature of their interest, the Chairman and members may at their discretion decide whether the member should participate further in the discussion. If it is decided that the member should leave the meeting he or she is first able to make a statement on the item under discussion.

## Register of Interests

11. The Secretariat keeps a register of interests declared to it and publishes details each year in the Committee's Annual Report.

# ANNEX V

## REFERENCES

1. Food Advisory Committee Annual Report 1993. HMSO.

2. The Labelling of Food Produced Using Genetic Modification Techniques. Letter to Interested Parties, 23 February 1994.

3. Regulation (EC) No. 258/97 of the European Parliament and of the Council, of 27 January 1997 concerning novel food and novel food ingredients *Official Journal of the European Communities*, L 43, 14 February 1997.

4. Food Advisory Committee (1991). Report of its Review of Food Labelling and Advertising 1990. FdAC/REP/10. HMSO.

5. Food Advisory Committee Review of Functional Foods and Health Claims. Letter to Interested Parties, 5 March 1996.

6. Food Advisory Committee Review of Functional Foods and Health Claims. Letter to Interested Parties, 16 December 1996.

7. Council Directive 89/107/EC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption. *Official Journal of the European Communities*, L 40, 11 February 1989.

8. European Parliament and Council Directive 95/2/EC of 20 February 1995 on food additives other than colours and sweeteners. *Official Journal of the European Communities*, L 61, 18 March 1995.

9. The Miscellaneous Food Additives Regulations 1995. SI No. 3187, HMSO.

10. Ministry of Agriculture, Fisheries and Food and Department of Health: Report of the Working Group on Dietary Supplements and Health Foods. MAFF, January 1991.

11. Commission of the European Communities: Reports of the Scientific Committee for Food (31st Series): Nutrient and Energy Intakes for the European Community, 1993.

12. European Parliament and Council Regulation No. 2232/96 of 28 October 1996 laying down a Community procedure for flavouring substances used or intended for use in or on foodstuffs. *Official Journal of the European Communities*, L 299, 23 November 1996.

13. MAFF/DH Food Safety Information Bulletin No. 36, April 1993.

14. MAFF/DH Food Safety Information Bulletin No. 71, March 1996.

15. Ministry of Agriculture, Fisheries and Food (1996). Inherent Natural Toxicants in Food. *Food Surveillance Paper* No. 51, The Stationery Office.

16. Labelling of Previously Frozen Meat Products. Working Party on Food Authenticity. MAFF, September 1996.

17. Authenticity of Single Seed Vegetable Oils. Working Party on Food Authenticity. MAFF, September 1996.

# ANNEX VI

## LIST OF ABBREVIATIONS

| | |
|---|---|
| ACMSF | Advisory Committee on the Microbiological Safety of Food |
| ACNFP | Advisory Committee on Novel Foods and Processes |
| ADI | Acceptable Daily Intake |
| CMO | Chief Medical Officer |
| COMA | Committee on Medical Aspects of Food and Nutrition Policy |
| COT | Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment |
| DH | Department of Health |
| EU | European Union |
| FAC | Food Advisory Committee |
| GM | Genetic Modification |
| HACSG | Hyperactive Children's Support Group |
| MAFF | Ministry of Agriculture, Fisheries and Food |
| MCA | Medicines Control Agency |

| | |
|---|---|
| 3-MCPD | 3-Monochloropropane-1,2-diol |
| SCF | Scientific Committee for Food |
| SGCAFS | Steering Group on Chemical Aspects of Food Surveillance |
| TDI/TWI | Tolerable Daily Intake/Tolerable Weekly Intake |
| WHO | World Health Organisation |
| WPFA | Working Party on Food Authenticity |

MAFF Publications, Admail 6000, London SW1A 2XX
© Crown copyright 1997
PB 3204